

HOSPITAL PRIVILEGES APPEAL BOARD

CODE OF CONDUCT

PART 1 INTRODUCTION

This Code of Conduct (Code) applies to Members of the Hospital Privileges Appeal Board (HPAB), a Public Agency. As this Code does not cover every specific scenario, Members are expected to adhere to the spirit and intent underlying this Code to guide their conduct, decision-making and all other matters in the course of their work with the HPAB.

This Code is not intended to conflict with other codes of conduct. If a Member is subject to more than one code of conduct, the Member must consider the expectations in all.

PART 2 DEFINITIONS

“Affiliation” includes being a member, employee, volunteer, owner, shareholder, creditor, director, elected representative, appointee, or trustee of an Entity or having any type of legal or equitable interest in an Entity.

“Business Interests” include any interests arising as a result of a current, former, or prospective Affiliation with any for profit, not-for-profit, or charitable Entity.

“Closely Associated Persons” are persons with whom there is a substantial relationship and include a spouse, adult interdependent partner, child or other relative, a close friend, an employer, a business associate, and a client.

“Code” means this Code of Conduct.

“Confidential Information” is information received during the course of the Member’s duties which is identified as confidential or which would reasonably be considered to be confidential.

“Conflict of Interest” may include actions or decisions that Members take on behalf of the HPAB that provide, appear to provide, or have the potential to provide them with an opportunity to further the Private Interests of themselves or Closely Associated Persons.

“Entity” includes a corporation, partnership, sole proprietorship, firm, franchise, association, organization, holding company, joint venture, trust, society, post-secondary institute and research institute.

“Member” has the same meaning as set out in the *Alberta Public Agencies Governance Act*.

“Private Interest” includes a personal obligation, financial interest, Business Interest or an interest of a Closely Associated Person. A private interest does not include an interest:

- i. in a matter that is of general application;
- ii. that affects a person as one of a broad class of the public; or

- iii. that is trivial.

“Public Agency” has the same meaning as set out in the *Alberta Public Agencies Governance Act*.

PART 3 CODE ADMINISTRATION

- 3.1 The chair is the Code Administrator for other Members.
- 3.2 The Code Administrator for the chair is another Member of the HPAB, selected by the Members on an annual basis.
- 3.3 The role of the Code Administrator includes establishing appropriate policies and procedures related to the Code, and ensuring awareness and effective implementation of the Code.
- 3.4 In addition to the basic principles set out in this Code, the HPAB must develop and implement policies and procedures, as required, to respond to and manage breaches of the Code in accordance with the principles of procedural fairness.
- 3.5 Even though the HPAB may have a delegated process for responding to and managing concerns, the Code Administrator is responsible for ensuring procedural fairness in regard to such processes.
- 3.6 If Members have any questions about the Code, or are not sure how to apply responsibilities under the Code, they should consult their Code Administrator.
- 3.7 Members shall review the Code on an annual basis. The chair shall confirm in writing to their contact in the Department of Health within 90 days of each new calendar year that all members have reviewed the Code.

PART 4 RESPONSIBILITIES UNDER THE CODE

Values

- 4.1 Members act with impartiality and integrity.
- 4.2 Members act in a respectful, transparent and accountable manner.
- 4.3 Members are responsible stewards of public resources.
- 4.4 Members act in good faith.
- 4.5 Members exercise diligence in their activities with the HPAB.

General Behavioural Expectations

- 4.6 Members must act in a way that is consistent with the HPAB's protocols on communications with the public.
- 4.7 Members must not engage in any criminal activity and must comply with all laws, regulations, policies and procedures applicable to the HPAB's work.
- 4.8 Members must not use drugs or alcohol in a way that affects their performance and safety, or the performance and safety of their HPAB colleagues, or that negatively impacts the operations of the HPAB.
- 4.9 Members must not engage in behaviours or activities that may negatively impact the reputation of the HPAB.
- 4.10 Members will conduct themselves in a manner that contributes to a safe and healthy working environment that is free from discrimination, harassment or violence.
- 4.11 Members must not act in self-interest or further their Private Interests by virtue of their position or through the carrying out of their duties.
- 4.12 Members are expected to behave in a way that is fair, reasonable and ethical.
- 4.13 Members will encourage colleagues to act in accordance with this Code.

Privacy and Confidential Information

- 4.14 Members must comply with protocols of the HPAB and applicable privacy laws that guide the collection, storage, use, transmission and disclosure of information.
- 4.15 Members must respect and protect Confidential Information, use it only for the work of the HPAB and not use it to further a Private Interest.
- 4.16 Once a Member has left the HPAB, they must not disclose Confidential Information.

Use of Property

- 4.17 Members may have limited use of the HPAB's premises and equipment (if any), including fax and email, for authorized incidental purposes providing such use involves minimal additional expense to the HPAB, is performed on the Member's own time and does not interfere with the mission of the HPAB.

Gifts

- 4.18 Members must not accept fees, gifts or other benefits that are connected directly or indirectly with the performance of their HPAB duties from any individual or Entity, other than:
 - the normal exchange of gifts between friends;

- the normal exchange of hospitality between persons doing business together;
- tokens exchanged as part of protocol; or
- the normal presentation of gifts to persons participating in public functions.

Conflicts of Interest

4.19 Members must be aware of and avoid Conflicts of Interest and must not participate in outside activities that create Conflicts of Interest. For example:

- a) Business Interests and Financial Interests: Members must not hold Business Interests or financial interests directly, or indirectly through a Closely Associated Person, that could benefit from or influence the work of the HPAB.
- b) Employment/Appointment: Members must not have or take new appointments or employment that affects their performance or impartiality in their work with the HPAB. Members considering a new offer of appointment or employment must be aware of and manage any potential Conflicts of Interest between their current position and their future circumstance, and must remove themselves from any HPAB decisions affecting their new appointment or employment.
- c) Political Activity: Members may participate in political activities, including holding membership in a political party, supporting a candidate for elected office or seeking elected office. However, they must not use their position with the HPAB to seek contributions for a political party or solicit political support from current or future clients or Entities doing business with the HPAB. In addition, any political activity must be clearly separated from activities related to the work for the HPAB; must not be done while carrying out the work of the HPAB; and must not make use of HPAB facilities, equipment or resources (if any) in support of these activities. If a Member is planning to seek an elected municipal, provincial or federal office, they must disclose their intention to the Code Administrator.
- d) Volunteer Activity: If Members are involved in volunteer work, the activity must not influence or conflict with the work of the HPAB.

4.20 Members have a continuing obligation to promptly and fully disclose Conflicts of Interest in writing to their Department of Health contact and to their Code Administrator. A disclosure alone does not remove a Conflict of Interest.

4.21 If an unanticipated Conflict of Interest arises during a meeting, hearing or other business of the HPAB, Members must bring this to the attention of their Code Administrator as soon as possible.

4.22 When there is a change in the Member's responsibilities within the HPAB or in personal circumstances, any relevant information about any Conflict of Interest shall be disclosed in writing to the Code Administrator as soon as possible.

4.23 The Code Administrator will endeavour to address and manage Conflicts of Interest.

4.24 Where a Conflict of Interest cannot be avoided, Members must take the appropriate steps to manage the conflict in consultation with the Code Administrator. Management could include steps such as:

- Removing oneself from matters in respect of the Conflict of Interest;
- Avoiding the particular interest or activity causing the Conflict of Interest; or
- Resigning from the position with the HPAB.

PART 5

DISCLOSURE, BREACH, DISCIPLINE AND REVIEW

Disclosures and reporting

5.1 Members shall self-report potential breaches of the Code, and may report potential breaches by other Members, to the Code Administrator.

5.2 When reporting a potential breach of another Member in good faith and with reasonable grounds, the reporting Member will be protected from reprisal for such reporting.

5.3 The identity of the person reporting a breach or potential breach will not be disclosed by the Code Administrator unless required by law.

5.4 Once an actual or potential breach of the Code has been reported, the HPAB's procedures for responding to and managing such breaches will be promptly initiated.

5.5 The Code Administrator reviews the circumstances and details of the actual or potential breach and ensures the confidentiality of all disclosures.

5.6 Subject to section 5.3, if a reported breach or potential breach relates to a Member other than the person reporting it, the Member in question has the right to be made aware of the allegation and will be given the opportunity to respond to the allegation.

5.7 The Code Administrator makes a decision, completes a written report in a timely manner, and provides the report to the Executive Director of Health System Monitoring, Department of Health and other parties as necessary.

Discipline

- 5.8 Breaches of this Code may result in disciplinary action, up to and including suspension or removal of the Member from the HPAB.
- 5.9 If there is reason to believe that a Member is engaging in inappropriate conduct outside the jurisdiction of the Code Administrator, such as criminal conduct, further steps may be taken by the Code Administrator.

APPENDIX A: Guidance Questions

When Members are faced with a difficult situation, the following questions may help them decide the right course of action:

- Have I reflected on or consulted with the Code Administrator about whether I am compromising my responsibilities under the Code?
- Have I considered the issue from a legal perspective?
- Have I investigated whether my behaviour aligns with a policy or procedure of the HPAB?
- Could my private interests or relationships be viewed as impairing my objectivity?
- Could my decision or action be viewed as resulting in personal gain, financial or otherwise?
- Could my decision or action be viewed as furthering the private interests of someone with whom I have a significant personal or business relationship?
- Could my decisions or actions be perceived as granting or receiving preferential treatment?